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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/672,259

09/26/2003

Andrew W. Krone

SILA:014D1C1

8829

7590

08/31/2005

William W. Enders  
O'KEEFE, EGAN & PETERMAN  
Building C, Suite 200  
1101 Capital of Texas Highway South  
Austin, TX 78746

EXAMINER

BURD, KEVIN MICHAEL

ART UNIT

PAPER NUMBER

2631

DATE MAILED: 08/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/672,259

Applicant(s)

KRONE ET AL.

Examiner

Kevin M. Burd

Art Unit

2631

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 21-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### ***Double Patenting***

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 21-36 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-21 of U.S. Patent No. 6,323,796 in view of Scott et al (US 6,570,513).

Regarding claim 21, US Patent No. 6,323,796 (Krone) discloses, in claim 1, the limitations of claim 21 of the instant application. Claim 11 of Krone further discloses the isolation system receives a clock signal from the powered system through at least one of the plurality of isolation elements. Krone discloses the digital signals are driven through at least one of the same isolation capacitor. Krone does not disclose the forward direction signal and the reverse direction signal are transferred through the same first and second isolation capacitors. However, using at least two isolation capacitors to allow bi-directional communication across the isolation barrier is well known in the art. Scott et al (US 6,570,513) discloses this in claim 1. The first and

second isolation capacitors will allow data to be transferred in both directions. This allows data to be transferred faster than unidirectional communication.

Regarding claim 22, Krone discloses the isolation system receives a clock signal from the isolation capacitor in claims 11 and 13.

Regarding claim 23, Scott discloses the signals transmitted across the isolation barrier comprise data and control information in claims 9 and 10. It would have been obvious for one of ordinary skill in the art at the time of the invention to transmit control and data information across the isolation barrier to allow downstream elements to receive all necessary information to process the received data and to function properly.

Regarding claims 24 and 25, Krone discloses the isolation elements are isolation capacitors in claim 1.

Regarding claim 26, US Patent No. 6,323,796 (Krone) discloses, in claim 1, the limitations of claim 21 of the instant application. Claim 11 of Krone further discloses the isolation system receives a clock signal from the powered system through at least one of the plurality of isolation elements. Krone discloses the digital signals are driven through at least one of the same isolation capacitor. Krone does not disclose the forward direction signal and the reverse direction signal are transferred through the same first and second isolation capacitors. However, using at least two isolation capacitors to allow bi-directional communication across the isolation barrier is well known in the art. Scott et al (US 6,570,513) discloses this in claim 1. The first and second isolation capacitors will allow data to be transferred in both directions. This allows data to be transferred faster than unidirectional communication. Scott discloses

the signals transmitted across the isolation barrier comprise data and control information in claims 9 and 10. It would have been obvious for one of ordinary skill in the art at the time of the invention to transmit control and data information across the isolation barrier to allow downstream elements to receive all necessary information to process the received data and to function properly.

Regarding claims 27 and 28, Krone discloses the isolation elements are isolation capacitors in claim 1.

Regarding claims 29, 30 and 32-36, US Patent No. 6,323,796 (Krone) discloses, in claim 10, the limitations of claim 21 of the instant application. Claim 11 of Krone further discloses the isolation system receives a clock signal from the powered system through at least one of the plurality of isolation elements. Krone discloses the digital signals are driven through at least one of the same isolation capacitor. Krone does not disclose the forward direction signal and the reverse direction signal are transferred through the same first and second isolation capacitors. However, using at least two isolation capacitors to allow bi-directional communication across the isolation barrier is well known in the art. Scott et al (US 6,570,513) discloses this in claim 1. The first and second isolation capacitors will allow data to be transferred in both directions. This allows data to be transferred faster than unidirectional communication.

Regarding claim 31, Scott further discloses the signals transmitted across the isolation barrier comprise data and control information in claims 9 and 10. It would have been obvious for one of ordinary skill in the art at the time of the invention to transmit control and data information across the isolation barrier to allow downstream elements

to receive all necessary information to process the received data and to function properly.


### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin M. Burd whose telephone number is (571) 272-3008. The examiner can normally be reached on Monday - Friday 9 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ghayour can be reached on (571) 272-3021. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kevin M. Burd  
8/29/2005

  
**KEVIN BURD**  
**PRIMARY EXAMINER**